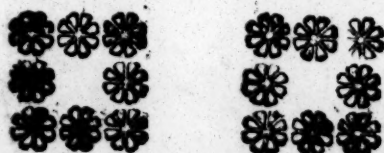


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A P P E A L
T O T H E
I M P A R T I A L P U B L I C
B Y

The Society of
Christian INDEPENDENTS,
CONGREGATING IN
G L O C E S T E R.

*Gloucester, Mass.
Ch. Ind. Soc.*



B O S T O N,

Printed by BENJAMIN EDES & SON,

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APPENDIX

TO THE

MEMORIAL

OF

The Society of

Christian Scientists

CONGREGATIONAL

CHURCHES



1893

FOR

Printed by H. W. H. Jones, Boston

1893

NEW YORK

A N

APPEAL, &c.

FRIENDS AND COUNTRYMEN,

IN our appeal to you, we feel a confidence, which in an address to the rulers of a tyrannical government, we could never possess.

While the people have the power of forming their own government, of enacting their own laws; and while they hold in their own hands the sovereignty of their Commonwealth, justly deeming their highest officers their servants, and are attentive to every measure, which may in its consequences, affect their liberty, they cannot fail to be free and happy.

We should be far from giving our countrymen the trouble of attending to an appeal from a society, so small and inconsiderable as ours, had we not been drawn before a civil tribunal, in defence of what we suppose to be our just, invaluable

invaluable and constitutional rights. A question has been agitated respecting us, the decision of which, ultimately regards every citizen of the Commonwealth, and instantly affects the several religious orders of Episcopalians, Baptists, Presbyterians, Sandamanians, Quakers, and every other denomination of Christians, who in this State have been called Sectaries.

HAD we ever done any thing in opposition to the freedom or independence of our Country, nay, had we ever shewn a backwardness in the late war, to assist in the preservation of those privileges, for which we now are called to contend in courts of justice; we should feel a diffidence in laying our cause before the impartial public; but feeling ourselves deservedly vested with the privileges and immunities of free citizens of this Commonwealth, and entitled to those liberties with which Heaven has made us free, and which we believe to be secured to us, by a constitution of government happily established by the people, and which we never mean to part with, while we can defend or retain them, we proceed to lay our cause before you.

WHEN Mr. John Murray, our present teacher in religious matters, had been invited to preach in the Meeting-House of the first Parish in Gloucester, we heard him with an increasing pleasure, and a growing satisfaction. On the settlement of Mr. Forbes, the present minister there, we being obliged to withhold our assent to the doctrines he taught, disagreed to his settlement. In the year 1779, we associated for the purpose of public worship, by a covenant, a copy whereof

whereof we have caused to be herewith submitted to the public eye.

THOUGH we are united in a mode of worship, and a form of discipline, yet in our association, we have carefully avoided the establishment of it, because we are fully convinced that our blessed Redeemer left no particular form to his followers, but submitted all to their own wisdom and prudence. We conceive that a voluntary agreement, in religious matters, ought to be departed from, the moment the individual who is party to it, conceives that he has done wrong; and where those religious forms have been established by laws, we find by the best history of Ecclesiastical matters, that they have only tended to fetter the human understanding, and have been the unhappy means of substituting the form for the substance of religion.

WE did not in our agreement, associate for the belief of any particular tenets, or peculiar doctrines, because we conceived that all conviction must rise from evidence rationally applied to the understanding; and we could not suppose that the same evidence would strike every mind in the society with the same force. We therefore concluded that confessions of faith with us, might do what we believe they have done in other societies, where those of human invention have been introduced, oblige men, either to submit their faith to the controul of others, and believe without examining, or to profess to believe that which they have never fully considered or understood. With that humility which we find inculcated in every part of the Gospel, we
humbly

humbly hoped, that it would be sufficient for us to believe the Holy Scriptures, and to adopt the system of morals therein contained, *as the rule of our Conduct, and the man of our Counsel.* We readily conceived, that when our mode of worship, or the doctrines taught us by our teaching Brother, should become disagreeable to any one of our brethren, he would dissent from us and join himself to some other society.

UPON examining the matter for ourselves, we are fully convinced, that by establishing articles of faith, we should only injure the cause of religion, and possibly might lay a foundation for persecution in a future day. Very soon after the glorious doctrine of salvation by Jesus Christ, was proclaimed to a sinful world, contentions, animosities, hatred, and envy, were introduced by uncharitable and incensed men, who, proudly feeling their own imaginary infallibility, could not bear that any one should dissent from their opinion. So bigotted are men generally to their own religious opinions, that they have rarely failed to procure, where it could be done, the civil authority, to compel others to profess a belief of their tenets.

UPON the conversion of Constantine, the first Roman Emperor who embraced Christianity, the civil arm was extended to establish the faith which he supposed all must hold, because he believed. One of his predecessors, though an heathen, had by the edict of Milan established a universal toleration to Christians, and to every denomination of religionists; but this Christian Emperor at once violated it. And to use the language

guage of Mr. Gibbons, in his history of that
 Prince, " The grateful applause of the Clergy
 " has consecrated the memory of a Prince who
 " indulged their passions, and promoted their
 " interest, Constantine gave them security,
 " wealth, honours and revenge : and the sup-
 " port of the Orthodox faith was considered as
 " the most sacred and important duty of the
 " Civil Magistrate. The edict of Milan, the
 " great charter of toleration, had confirmed to
 " each individual of the Roman world, the
 " privilege of choosing and professing their
 " own religion. But this inestimable privilege
 " was soon violated. With the knowledge of
 " truth, the Emperor imbibed the maxims of
 " persecution ; and the sects which dissented
 " from the Catholic church, were afflicted and
 " oppressed by the triumph of Christianity.
 " Constantine easily believed that the Hereticks,
 " who presumed to dispute his opinions, or to
 " oppose his commands, were guilty of the
 " most absurd and criminal obstinacy ; and that
 " a seasonable application of moderate severities
 " might save those unhappy men from danger
 " of everlasting condemnation. Not a moment
 " was lost in excluding ministers and teachers
 " of the separated congregations from any share
 " of the rewards and immunities which the
 " Emperor had so liberally bestowed on the
 " Orthodox clergy. But as the Sectaries might
 " still exist under the cloud of royal disgrace,
 " the conquest of the East was immediately
 " followed by an edict which announced their
 " total destruction. After a preamble filled
 with

“ with passion and reproach, Constantine abso-
 “ lutely prohibits the assemblies of the Here-
 “ tics, and confiscates their public property to
 “ the use either of the revenue, or of the Ca-
 “ tholic church.”

THE Jewish Christians of Alexandria, applied the ideas taught in the school of Plato, respecting the *Logos*, to our blessed Redeemer; whereupon the Arian Christians exerted themselves against what they called a dangerous error, and accused their opponents with adopting the polytheism of the Pagans. Hence upon a mystery above the comprehension of the human understanding, arose a controversy which time itself can never settle. Constantius a Roman Emperor, had by a decree ordained, that “ those who
 “ refused to communicate with the Arian Bi-
 “ shops, and particularly with Macedonius,
 “ should be deprived of the immunities of Ec-
 “ clesiastics, and the rights of Christians; they
 “ were compelled to relinquish the possessions
 “ of Churches; and were strictly prohibited
 “ from holding their assemblies within the
 “ walls of the city. The execution of this un-
 “ just law, in the provinces of Thrace, and Asia
 “ Minor, was committed to the zeal of Macedo-
 “ nius.—The civil and military power were
 “ directed to obey his commands, and the cru-
 “ elties exercised by this Semi-Arian tyrant, in
 “ the support of the *Homoiousion*, exceeded the
 “ commission, and disgraced the reign of Con-
 “ stantius. The sacraments of the church were
 “ administered to the reluctant victims, who de-
 “ nied the vocation, and abhorred the princi-
 ples

" ples of Macedonius. The rights of baptism
 " were conferred on women and children, who,
 " for that purpose, had been torn from the arms
 " of their friends and parents ; the mouths of
 " the Communicants were held open by a
 " wooden engine, while the consecrated bread
 " was forced down their throats ; the breasts of
 " tender Virgins were either burnt with red-
 " hot egg shells, or inhumanly compressed be-
 " tween sharp and heavy boards."

THEODOSIUS one of the successors of Con-
 stantius, declared himself on the side of the
 Athanasians, he was baptized, and as he ascend-
 ed from the water he promulgated his decree,
 " It is our pleasure, that all nations, which
 " are governed by our *clemency*, and *moderation*,
 " should steadfastly adhere to the religion which
 " was taught by Saint Peter to the Romans,
 " which faithful tradition has preserved ; and
 " which is now professed by the pontiff Dama-
 " sus, and by Peter, Bishop of Alexandria, a
 " man of apostolic holiness ; according to the
 " discipline of the apostles, and the doctrine
 " of the gospel, let us believe the sole deity of
 " the father, the son, and the holy ghost ; un-
 " der an equal majesty, and a pious trinity. *We*
 " *authorize* the followers of *this* doctrine to
 " assume the title of *Catholic christians* ; and as
 " *we judge*, that all others are extravagant mad-
 " men, *we* brand them with the infamous name
 " of Heretics ; and declare, that their *Conventi-*
 " *cles* shall no longer usurp the respectable ap-
 " pellation of churches ; besides the condem-
 " nation of divine justice, they must expect to

B

" suffer

“ suffer the severe penalties, which *our* authority guided by *heavenly wisdom*, shall think proper to inflict upon them.” It can be no wonder that the council of Neice, by a majority of votes settled the question in favour of the Emperor’s decree. From this time, blood and slaughter, persecutions, and murders; stained every decree of the cabinet, and served still to increase the hatred, and widen the sentiments of the parties; until a remedy more dreadful than the disease itself took place. In consequence of the decree of Theodosius, the Roman church assumed the appellations of Holy and Catholic, and arrogating to herself the power of infallibility, being also a *national church*, and having procured within her controul, the whole vengeance of civil government, she wrapt the whole world in a cloud of impenetrable darkness, debilitated the mind of man, by closing the door of free enquiry, and gave birth to eight hundred years of ignorance, and barbarism, unequalled by any preceding time; hence arose an awful chasm in the history of the world, and men ceased to think because thinking was a crime.

In the fifteenth century the sons of inquiry began to think for themselves; they thought, they examined and decided for themselves upon these matters which rested only between their God, and their own consciences: but this could not fail to awaken that horrid monster, persecution, for the church aided by the civil magistrate held the standard of orthodoxy, and the only measure of faith. Then commenced
that

that horrid scene of bloodshed and devastation, with which Europe was afflicted until the year 1688.

It would have been very happy for the *British* nation, of which we were then a part, if they had excluded from their laws all establishment of forms of worship; and had been as tolerant with regard to articles of faith, as they were respecting Church-government: but the magistrate still considering himself the guardian of the church, and the *defender of the faith*, not only established a national church, but by act of parliament settled articles of faith, and made it a crime not to believe the national creed. Amongst other things alike exceptionable, it was enacted at that time, that “If any person
“ educated in the christian religion should, by
“ writing, printing, teaching, or advised speak-
“ ing, deny any *one of the persons* in the holy
“ trinity to *be God*, or should maintain that there
“ are more *Gods than one*, he should for the
“ first offence be rendered incapable of holding
“ any office, and for the second, be rendered in-
“ capable of bringing any action, or buying
“ any lands.”

THOUGH the first settlers of this State fled from persecution, yet the light they had received was by no means sufficient to prevent their embracing those principles, which casts a shade over some of the best characters known in that age, and gives their history a complexion of intolerance which will ever be lamented by their more enlightened posterity. But when the Charter of William and Mary had tolerated all

sorts of Christians excepting Papists, the Baptists, and Quakers, had security from persecution.

THE articles of faith commonly called the Platform, and made in the year 1646, has ever shackled the freedom of the people in New-England ; but blessed be God, the liberty now happily established by our Constitution, has given a fatal stab to all religious oppression in this state.

THE evil which we find to have accrued from the establishment of creeds of human invention, we hope will make us sufficiently cautious, and prevent or forming any other mode of expression for articles of faith than the gospel, in its own language, and in its own form : for we consider them as mere deductions from facts which do appear to some, but may not appear to others upon the evidence offered in their support ; and while we are assured that the same evidence which fully convinces one mind, may leave another in doubt and uncertainty ; and are obliged to acknowledge from every day's experience, that those deductions, and conclusions, which appear in the highest propriety to one, may strike the mind of another as a gross absurdity, we are humbly contented to take the Gospel as the rule of our lives, and to profess to believe whatever is therein taught, as a divine revelation, looking for deliverance from sin, and punishment, in the manner therein graciously provided.

WE find that the Sects of Christians in New-England, have ever been distinguished from each other by their form of church-discipline, and their mode of administering of the ordinances :
the

the doctrines, or articles of faith, held by all being as nearly similar, as that of individuals in the same church has generally been. We distinguish ourselves from the church under the instruction of Mr. Forbes, by our not using baptism as an external rite. Though this may appear to some to be incompatible with the religion we profess, yet it being a matter resting in opinion only, we know not why we should be condemned, while the Quakers meet the smiles of government, and while many others who omit the ordinance through inattention, or a total disregard to all religion, have the favours of the state. We differ from that church also in our mode of discipline, being *Independents*, holding as the first church in Boston, and many other churches in the state originally held, that "all ecclesiastical jurisdiction is committed by Christ to each organical church, from which there is no appeal; visible saintship being the matter, and express covenanting the form." †

"ORDINATION we account nothing else but the solemn putting a man into his place and office in the church, whereunto he hath a right before by election, the essence and substance of the outward calling of an ordinary officer in the church, doth not consist in ordination, but in his voluntary and free election by the church, and his accepting of that election; whereupon is founded that relation between pastor and flock, between such a minister and such a people. Ordination doth not
" constitute

† Governor Bellingham's Will made in 1672;

“ constitute an officer, nor give him the essentials of his office ; the apostles were elders without imposition of hands by men.” Platform, chap. 9.

THIS was the sense of the country at that time, and it was so prevalent, that although the Platform was obtained, yet it could not be done without preserving these sentiments. But as the word Ordain, signifies no more than to appoint, we conceive that the election, and not the laying on of hands, makes the Ordination compleat. See sixth and thirteenth chapters of Acts.

NOTWITHSTANDING this, we have been, and yet are taxed to the support of Mr. Forbes, and our property is taken and exposed at auction to raise money for the support of a form of worship in which we can never join, and for the support of teaching by which we can have no instruction. Were we not thus oppressed, we should have been very contented to have enjoyed in silence, that liberty which we feel ourselves intitled to as Free Citizens of this Commonwealth, always resolving to yield that obedience to government, which is due from good subjects to a state, that protects them in the enjoyment of their dearest rights.

WE were advised, that our situation was such, as precluded all other relief from the oppression we complain of, otherwise than by an action brought in the name of our teacher to recover the money taken from us for the support of a public teacher of religion, piety, and morality. He was very unwilling to have an action brought in his name : but upon our representing the cruelty

cruelty of those who took this advantage of us, and the hardship of his not consenting to the only relief we could have, he gave his consent.

THE action which we instituted was tried at the Supreme Judicial Court, held at Ipswich in June 1785, when a verdict was given in our favour. * Had we no other motive than the saving of our money, we should have been more in our own interest by paying quietly to the support of Mr. Forbes, than we have been in building a house for public worship, supporting a teacher amongst ourselves, and by engaging in a troublesome and expensive lawsuit. But holding the rights of conscience as superior to every other consideration, we have persevered, and still intend to persevere, not doubting that our countrymen will do us the justice of securing to us that freedom wherein we have reason to rejoice under the present government.

As the principles agitated in the trial of the cause above-mentioned, and the objections made against us, apply themselves equally to Episcopalians, Baptists, Quakers, Sandamanians, and Independents, and to every denomination of Christians whose society is not described and known by town or parish lines, or by a particular act of incorporation, we think it our duty to give the public our remarks and observation upon them. In doing this, though we should shew a dissent from the opinion of some gentlemen of great learning and ability, and perhaps from some gentlemen

* The Counsel } Mr. Sullivan, | Mr. Bradbury } For the
for the Plaintiffs. } Mr. Tudor, | Mr. Parsons, } Defend'ts

gentlemen of high civil rank in the state ; and though we shall speak with the confidence becoming men who realize their constitutional freedom ; yet we shall do it with all that deference, and respect, which we owe to the characters of great and good men, who may have been opposed to our opinion. Whether they or we are right, we submit to the public.

THE third article in the declaration of rights, provides, that “ all monies paid by the subject
 “ to the support of public worship, and of the
 “ public teachers aforesaid, shall, if he require
 “ it, be uniformly applied to the support of the
 “ public teacher or teachers of his own religious
 “ sect or denomination, provided there be any
 “ on whose instructions he attends ; otherwise
 “ it may be paid towards the support of the
 “ teacher or teachers of the parish in which the
 “ money is raised.” For the reasons before-mentioned, we consider ourselves a *Sect* different from those who attend upon the ministry of Mr. Forbes ; and we therefore are of opinion, that the money raised upon us ought to be applied to the support of the teacher of our own religious sect, there being one on whose instructions we attend. But it was objected that the teacher who is intitled to receive the money paid by his hearers, must be a teacher of piety, religion and morality : this we concede, but we are not convinced that the question, whether he is a teacher of piety, religion, and morality, can be determined from a revision of the motives he offers as to the rewards and the punishments which are to be bestowed or inflicted in another world. We
 believe

believe that the question must be decided by the evidence of his urging the people to piety and morality, as the foundation of the greatest good which their natures are capable of; and as a compliance with the will of their almighty Creator and preserver; without going into an inquiry of his opinion respecting the quantity of punishment in a future state.

THAT God will punish men for sin, in such a manner as will far over-balance the pleasures which can be derived from vice in this world, is so clearly pointed out in the gospel, that we are compelled to believe it; but whether the opinion of some learned and good men; who imagine that the wicked will be annihilated; or whether that of the learned Doctor Chauncy, Doctor Priestly, and many others, who believe that there is a temporary hell prepared for the ungodly, which is another state of probation, or any other opinion respecting that subject is best, every one must determine for himself. Neither statutes, penalties or rewards, can force, or allure, a man to consent to the truth of a proposition, without sufficient evidence received by a mind capable of examining, and applying of it.

THE idea, that it is necessary to the good order of civil government, that the Teachers of Religion should thunder out the doctrine of everlasting punishment, to deter men from atrocious crimes, which they may otherwise commit in secret, has long been hackneyed in the hands of men in power; but without any warrant from reason, or revelation for doing of it: for reason itself, without the aid of revelation, gave no in-
C
timation

intimation of a state of retribution ; it was the Gospel which brought life, and immortality to light. God, in the civil constitution which he was pleased to form for the Jews, strongly prohibited murder, perjury, adultery, and many other crimes which men might then commit in secret ; but never in any one instance, gave an intimation, that the Jews should be punished in another world for their crimes in this. Had a threatening of that nature been necessary to the support of civil government, we might with great propriety look for it there. It was not till the Christian Church was illegally wedded to state-policy, that men in power dared to hurl the Thunders of the Most High at those who offended against government ; and even then, modesty forbid it, only as they arrogantly pretended to do it for the honor of God, and the advantage of religion.

BUT should the point be maintained, that courts and juries, are authorised to determine whether the teacher of a religious sect, is a teacher of morality from his opinion, either of the cause, mode, or state of men's happiness or misery in another world, or from his opinion of the nature, or proportion of the rewards for virtue, or the punishment for vice there, no sect or denomination could be safe ; it being a matter resting in opinion only, without any earthly tribunal having the ability or authority to settle the question. Suppose an Episcopalian teacher should have an action in his name to recover the money paid by his hearers ; perhaps he might be one who had subscribed, and sworn to the thirty-nine articles,

articles, *the truth of which is well supported by act of parliament* : an objection might be made from one of the articles, that tells us, God from all eternity elected a certain number to happiness, and predestinated all the rest of the human race to everlasting misery ; and this of his own sovereign will, without any regard to the merit of the one, or the demerit of the others. A jury might be found who would decide at once, that this doctrine is subversive of all morality, and good order ; for if the state of every man is unalterably fixed from all eternity, and nothing done by him can in any wise change the divine decree, he had better eat, drink, and be merry, and indulge himself in all that can give him sensual pleasure. The argument is equally strong against all Calvinists, and in appearance stronger against Hopkintonians, Edwardians, and all other Fatalists. But should a sober Arminian be in trial, and it appeared that he taught his people, that it was within their own power to procure future happiness by their virtue and goodness, and that God would punish them in another world for those crimes which they were under no necessity to commit in this ; that this is a state of probation wherein it is in their power to lay the foundation of everlasting happiness ; a jury might not be able to distinguish between the prescience, and the fore-ordination of God ; and it might be called impiety to alledge, that the infinitely wise Being did not from all eternity know the ultimate fate, and final end, of all his creatures : it would at least be called derogatory to the honor of the Most High, to

suppose any thing to be contingent with him ; and therefore a Teacher of such principles might in the eye of some persons, be viewed as a Teacher of impiety and immorality.

WE neither undertake to support or condemn any of the tenets we have alluded to, for we suppose that every good man, let his involuntary errors be multiplied as they may, will be in the favour of God. But we reason in this manner to shew the impracticability of deciding upon the morality of a teacher from his opinion of those matters ; when all opinions must depend upon men's construction of the most holy word of God, as revealed in the scriptures. We will only add here, that if the courts of law in this State are to go into an inquiry of this kind, the conscience of the judges will be the standard of religious sentiment, and the only inquiry upon matters of faith will be, What was the opinion of the court in the last trial ? It would most certainly be better to have the articles of faith settled by an act of the legislature at once.

ANOTHER objection raised against us in the abovementioned trial was as unexpected as it was alarming to us. It was that no teacher of religion, piety, and morality, could have a right to recover the money paid by his sect in the support of public teaching, and to the support of public worship, unless the person demanding of it is the teacher of a town, parish, precinct, or a society legally organized, and vested with civil and corporate powers. Or in other words ; that the people of no sect of Protestant christians can have the money paid by them in support of public

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lic teaching of piety, religion, and morality, applied to the support of the teacher of their own sect, on whose teachings and instructions they attend, unless their teacher is the settled minister of a parish ; or unless they are a society vested by the legislature with corporate powers. This we take to be a fair state of the objection as made in the trial of our cause ; and we feel ourselves obliged not only for our own, but for the security of every denomination of christians, not known and described by parish lines, to examine the question with fairness and candour. That our reasoning may be subject to a fair investigation, we cause the two articles whereon we rely, to be printed in the appendix. Though we can easily conceive, that through the malicious misrepresentations of our enemies, such prejudices are raised against us, that even some good men may be ready to exchange their own religious liberty for our destruction ; yet when we consider, that the good sense of this people will shew them clearly, that a wrong judgment now given against us, may end in the persecution of those who now feel the greatest security ; we have reason to hope we shall be heard with patience and candour.

THE small and trifling objection, that we “ have no name or appellation of Protestant Christians,” hardly deserves notice. Yet thus much we say, that we call ourselves *Independents* ; an appellation which was very honorable in the country until the Civil Government had begotten, and the Church had brought forth the idea of synods and consociations of churches ;
thereby

thereby making an unfavoury mixture of politics and religion, for the purpose, as they affected to believe, of keeping religion pure and undefiled, * there has been no denomination of religionists, but who have had the honor of receiving their appellation from their enemies: having it at first applied by way of reproach, but becoming honorable as their sect grew numerous and important; amongst these are the Gallileans, Christians, Lutherans, Calvinists, Protestants, Quakers, Baptists, and Dissenters. And we are humbly contented that our enemies, if they do not like the name of *Independents*, shall call us what they please.—But we proceed to consider the objection.

If the objection above stated has a foundation which can support it against a careful examination, then all that security to the rights of conscience, all that equality in the several sects and denominations of Christians, and that strong barrier against oppression in religious matters, which the people thought they had established by their constitution of civil government; has upon the very first juridical examination, been found to be visionary and delusive; the language used by the compilers of the Form of Government, is not accompanied with those ideas which have been associated with it in all other cases: but the people have been amused by the chicane of doubtful expression, and instead of something permanent and substantial, have believed a dream

* See the Platform, where the magistrate is to see the decrees of the council carried into execution.

dream, and embraced a shadow. But if the words used in the third article in the Declaration of Rights, have the same meaning there, as they have in other places, we have no difficulty arising from the objection under consideration.

THE construction of these words will depend much upon the meaning of the word *Sect*; the money is to be applied, to the support of the teacher of his own *Sect*.—Therefore it will be necessary to have a precise meaning to that word.

SECTA, from the verb *feco*, to cut off or asunder, to rend apart, or divide, was used by the Romans to express a kind of people of a different profession, a party or faction. In all countries where there is a church established by law as the national church, those who dissent from it are called *Sectaries*; as all in England who are not Episcopalians are called Schismatics and *Sectaries*; in this State there has been no church established since the charter of 1692, and therefore the word *Sect* must have a meaning here in someway different from what it has in those countries where churches are established by law. With us it undoubtedly includes and describes those persons who dissent from legal establishments which are instituted for religious purposes.

THE laws of the State provide, that each town not divided into parishes, and each precinct and parish, shall be obliged to settle and support a gospel minister, to whose settlement, support and maintainance all the persons and estates within the parish, shall contribute by taxes duly and legally assessed; and all those within the town

or

or parish; whether they are Episcopalians, Baptists, or Quakers, or whatever else they may be called, who dissent from the minister thus legally settled, and the mode of worship agreed upon by the majority, are *Sectaries*. Nay, even congregationalists when the majority of the parish chuses a Presbyterian form of worship, may be a *Sect*. That this has been the idea of a *Sect* in this State from the time of the first legal establishment of local religious societies by parish and precinct lines, we submit to our countrymen. And we cannot but believe, that it was used in this sense by the compilers of the Constitution, and conveyed this idea to the people when they established their Form of Government. It could not be confined in its meaning to the *Sects* only which existed at that time, as some intolerant and bigoted men have supposed, but extended to all which might arise thereafter, for the Convention could not be vain enough to suppose, that all inquiry upon religious matters were at an end, nor ill-natured enough to wish to exclude the further investigation of truth. This does not however, so much concern us, for we had associated before the Constitution was formed.

TAKING the word *Sect*, to mean as we have above explained it, we shall take it with us in that meaning, while we give our construction of the third article in the declaration of rights. And we find it necessary as the history of this important article is fresh in the minds of our fellow citizens to go a little into it: indeed ages yet to come, may, and undoubtedly will, collect the same history from the arrangement of ideas,

ideas, and the mode of expression, used in the article, which the people are now able to give from their memory.

THE second article in the above-mentioned declaration provides, that, as it is, as well the duty, as the right of all men in civil society, to worship the supreme Being, no subject shall be hurt, molested, or restrained in his liberty, or estate, for worshipping God in the manner, and season, most agreeable to the dictates of his own conscience ; or for his religious profession or sentiments ; provided he doth not disturb the public peace, or obstruct others in their religious worship. The ideas in this article were taken from Mr. Locke's letters on toleration, wherein that great man proves from reason and scripture, that religion is at all times a matter between each individual and his God ; and that no man has a right to dictate a mode of worship to another : nor can derive any authority to obstruct another in his way of worship. That each man may, and ought to enjoy his own mode, but may not sacrifice the life of another, because this is an injury to a person who stands on a perfect equality with himself. He cannot offer to his God the calf of another, because it would be robbing him of his property ; but he may sacrifice his own calf or lamb in his own way, and no one has authority to prohibit it.

It was on the one hand thought necessary to make provision for the support of public worship, and of the public teachers of piety, religion and morality, for the sake of making men better citizens, and better members of the Common-
D wealth ;

wealth ; while on the other, it was strenuously insisted upon, that provision should be made for liberty of conscience, and express and ample security given against oppression in matters of religion. In this all agreed, for the Baptists, Quakers, &c. had depended for security from persecution upon a charter which was by the New-
 Constitution done away, and upon laws to secure them from oppression, which might be repealed by the legislature at pleasure.

THIS article was a mere matter of negotiation between parties ; and unless some permanent measure could be contrived, which could secure the sectaries against being compelled to contribute to the support of teachers whom they could never hear, and to the building of houses for public worship which they could never visit, there was but little hope of having the new form of government established : for the number of sectaries in the state, joined in the opposition with those, who would oppose all forms of government predicated upon republican principles, would have turned a large majority against the constitution. It was urged however, that there was not one society amongst the sectaries which had corporate powers, or were capable of making, or compelling a tax ; and therefore, to provide that they should not be taxed by the parish where they lived, would be bidding a premium upon becoming sectaries, and offering a reward for the neglect of public worship. As the measure under consideration was intended only for civil purposes, and all religious ideas respecting the state of the individual in another world, were disclaimed,
 the

the force of the reasoning was felt ; and it was agreed, that “ all monies paid by the subject to
 “ the support of public worship, and *of the*
 “ *public teachers aforesaid*, should, if he require
 “ it, be uniformly applied to the support of the
 “ public teacher, or teachers, of his own religi-
 “ ous sect, or denomination ; provided there be
 “ any on whose instructions he attends ; other-
 “ wise it may be paid to the support of the
 “ teacher, or teachers, of the parish, or precinct,
 “ in which said monies are raised.”

By this provision, all sectaries were obliged to contribute their proportion to the support of public worship, as an institution designed to establish the interest, and procure the safety of the Commonwealth. But “ every christian de-
 “ meaning himself peaceably, was to be equally
 “ under the protection of the laws, and no sub-
 “ ordination of any one *Sect*, or denomination
 “ to another, was ever to be established by law.”
 Therefore it was but just that the money “ *paid*
 “ *by the subject*,” should be uniformly applied to the teacher of his own religious sect or denomination, if he had such a teacher on whose instructions he attended : let him be either a teacher of a corporate society, vested by the legislature with civil powers, as a company holding a common estate, and then in a legal idea a denomination, or of a number of persons not described by parish-lines nor holding property in common as proprietors, and empowered by law to manage and dispose of it, but made up of a collection from parishes and precincts, and therefore called a *Sect*.

BUT it is said that the teacher, to whose support the money is to be applied, must be a teacher of a society vested with corporate powers, because that "all monies paid by the subject for the support of the *teachers aforesaid*, is to be applied, &c." That this expression *teachers aforesaid*, refers to teachers of parishes and societies with corporate powers, we grant. But still it does not support the objection. The article under consideration provides, that the legislature shall have the power to authorise and require the several towns, parishes, precincts, and other bodies politick, and religious societies, to make provision at their own expence, for the support of public worship; and we concede that there is no way for a legislature to compel a mere sect to make such provision; for they are neither capable of acting, nor can they be discerned by the legislative eye; and yet they have a right individually to protection from religious oppression. Here we grant all the facts which our opponents have asserted; but we totally deny the conclusions which they pretend to make: for tho' the parish has a right to tax the sectary towards the support of a public teacher, and thereby to compel him to contribute of his substance towards a measure intended for the benefit of the state; yet we say that the money is to be applied to the support of the teacher of his own *Sect*; who is supposed by the Constitution to teach those things which tend to piety and morality, as much as the teacher of the parish; otherwise there would be a subordination of one sect or denomination to another. The word *Sect* can

can never mean a body with legal corporate powers ; for the moment a society has an act of the legislature for their establishment, they cease to be a sect, and become a legal body as much as a town or a parish is. There is a wide distinction between an establishment and a toleration. The dissenters in England, and the Hugonots in France, are tolerated ; that is, they are freed from persecution, but not capable of acting as a legal body. But the idea of toleration at all times arises from a subordination of one sect to another ; unless there may be an instance where the Civil Government makes no religious establishment, but tolerates all religions ; where all sorts of *professions* of the Christian Religion are on a perfect equality, as they are by our Constitution : the idea of a toleration is inadmissible. But if the clause in the article was intended only for the benefit of Corporate Bodies, it was wholly unnecessary ; for surely the law which gives them corporate powers, gives them at the same moment complete exemption, as far as the legislature can give it, from all taxes assessed by any other corporation. We conceive that the several parishes carved out of a town, were never by any language used in the country, considered as sects, because they were bodies established by law.

MOREOVER, as in matters of the support of teachers, the legislature can act only upon a consideration of the society which is the object of their law, holding, and possessing property in common, or a common estate, as is not the case with us, the Baptists, and others, who build their

their places of publick worship by a voluntary contribution, without contract, or an account of the expence. Those sects cannot be, by any law, put upon that footing, which they suppose the Constitution places them on.

ALL money raised for any purpose by legal assessment, must indeed be raised by a corporate body ; and therefore as a parish can raise no money by tax for the support of *public* teachers, but what is ostensibly raised for the support of a *parish* teacher, we suppose the expression "*teacher or teachers aforesaid*," is used to express, the teacher or teachers of a parish or body politic. But when we come to the appropriation of the money, the expression is varied, and it is not to the "*teachers aforesaid*," but to the *public teacher of his own religious Sect*." Which clearly gives the privilege of applying the money raised of the subject by legal authority, to the support of his own teacher, if he has one, of a *Sect* separated from the parish, on account of a difference in sentiment, with respect to church discipline, and the administration of religious rites.

WE do not mean to suggest that every man, who has a dislike to the minister of his parish, but still adheres to the same form of worship and mode of church discipline, has a right to have his money paid to one of the same denomination, because he goes out of the parish to hear him ; for in such case there is no difference of sects, and the constitution has made no provision about it.

If the construction we contend for, is not the true,

true one, then the Episcopalians, Baptists, Quakers, nor any other Sectary has any possible security against oppression in religious matters, from the Constitution: For (as we believe) there is not one of them vested with corporate powers, the laws now in existence for their security can be repealed, whenever the legislature shall see fit to do it : and they can all be placed in a day on the same ground which we now stand upon.

WE have been told that we ought to apply to the legislature for an act of Incorporation, as the only remedy against the oppression we complain of ; but could we be assured that our petition would be most readily granted, yet we should feel ourselves highly criminal in making the application. * Providence has so ordered it, that we should in the first instance be called upon to contend for those religious liberties preserved by our excellent Constitution. The inconsiderableness of our party, and the prejudices raised by our enemies, in the minds of our fellow-citizens, point us out as the proper objects of the first essay for religious tyranny : and should we fly to the law-makers instead of that great law made by the people to govern the legislature itself, we should in our apprehension, betray our country's freedom, and act a cowardly part. We should feel ourselves very unhappy if there was no other security in these matters, than acts of legislation, which might be repealed at any time when a particular party should prevail.

WE

* If we did it with a view only to save our being taxed,

WE do not complain of persecution, but only of an oppression, which we are convinced was intended by the Constitution to be prevented. For blessed be God, that there is no one sect or denomination at this time so prevalent in the State as to be able to introduce that horrid monster which for such a number of centuries has made havoc & destruction in the christian world.

FELLOW-CITIZENS, When you shall be pleased to consider the vast variety of pursuits which the human race have been engaged in, to procure that happiness which all are in search after ; that what would canonize a man as a saint in one country ; would bring him to infamy in another ; that though men may have very different principles, yet they may be alike engaged in their researches after the truth. In short, when you extend your charity according to the dictates of reason, and the instructions of the Christian religion—We believe that you will be contented to have our Sect treated as you wish to be treated yourselves. And that it will be your endeavour that we shall possess ourselves in peace and security.

WE wish you to do in this case unto us, as you would reasonably expect us to do unto you in similar circumstances. That those who are Congregationalists may bring the matter home to themselves, we beg them to consider, how they would stand affected if a majority of their parish should become Baptists, Presbyterians, Independents, or Sandemanians ; and should elect a teacher whom they could not hear, and set up a form of worship in which they could not join.

join, and compel the minority who were Congregationalists to pay to the support of it. If that be wrong, then we are abused, unless one sect is in subordination to another, and religion is no longer a matter between the heart of each individual and his God, but a matter submitted to, and under the controul of a majority in society.

“ Judge not that ye be not judged ; for with
 “ what judgment ye judge, ye shall be judged :
 “ and with what measure ye mete, it shall be
 “ measured to you again.”

A P P E N D I X.

ARTICLES *in the Declaration of*
RIGHTS.

II. **I**T is the right as well as the duty of all men in society, publickly, and at stated seasons, to worship the SUPREME BEING, the great creator and preserver of the universe. And no subject shall be hurt, molested, or restrained, in his person, liberty, or estate, for worshipping GOD in the manner and season most agreeable to the dictates of his own conscience ; or for his religious profession or sentiments ; provided he doth not disturb the public peace, or obstruct others in their religious worship.

III. As the happiness of a people, and the good order and preservation of civil government, essentially depend upon piety, religion and morality ; and as these cannot be generally diffused through a community, but by the institution of the public worship of GOD, and of public instructions in piety, religion and morality : Therefore, to promote their happiness, and to secure the good order and preservation of their government, the people of this Commonwealth have a right to invest their legislature with power to authorize and require, and the legislature shall, from time to time, authorize and require, the several towns, parishes, precincts, and other bodies politic, or religious societies, to make suitable provision, at their own expence, for the institution of the public worship of GOD, and for the support and maintenance of public protestant

testant teachers of piety, religion and morality, in all cases where such provision shall not be made voluntarily.

AND the people of this Commonwealth have also a right to, and do, invest their legislature with authority to enjoin upon all the subjects, an attendance upon the instructions of the public teachers aforesaid, at stated times and seasons; if there be any on whose instructions they can conscientiously and conveniently attend.

PROVIDED notwithstanding, that the several towns, parishes, precincts, and other bodies-politic, or religious societies, shall, at all times, have the exclusive right of electing their public teachers, and of contracting with them for their support and maintenance.

AND all monies paid by the subject to the support of public worship, and of the public teachers aforesaid, shall, if he require it, be uniformly applied to the support of the public teacher or teachers of his own religious sect or denomination, provided there be any on whose instructions he attends; otherwise it may be paid towards the support of the teacher or teachers of the parish or precinct in which the said monies are raised.

AND every denomination of Christians, demeaning themselves peaceably, and as good subjects of the Commonwealth, shall be equally under the protection of the law: And no subordination of any one sect or denomination to another shall ever be established by law.

ASSOCIATION of the Independent Church in GLOCESTER.

INASMUCH as it hath pleased God of his great mercy, in every age of the world, to choose a people for himself; giving them his fear, and revealing to them his secret; and as this great Lord of heaven and earth, the Father of our Lord Jesus Christ, hath been pleased to reveal to babes, what he hath hid from the wise and prudent: We the subscribers, gratefully affected with a sense of the divine goodness, in thus distinguishing us, who had nothing in us to merit his notice; think it our interest and bounden duty, to let our light shine before men, that they may see our good works, and glorify our Father which is in heaven. As therefore it hath pleased God to make us acquainted with the voice of the good shepherd, the Lord Jesus Christ, the great shepherd and bishop of souls; we cannot from henceforward follow the voice of a stranger; nor ever give attention to such who are unacquainted with the Saviour of the world. But though we cannot have fellowship with them whose fellowship is not with the Father, and with his Son Jesus Christ; yet we are determined, by the grace of God, never to forsake the assembling of ourselves together, as the manner of some is; but as a church of Christ, meet together in his name, being persuaded, wherever, or whenever two or three are thus met together, the invisible God will be present with them.

As

As Christians, we acknowledge no master but Christ Jesus, and as disciples of this divine master, we profess to follow no guide in spiritual matters, but his word, and his spirit.

As dwellers in this world, though not of it, we hold ourselves bound to yield obedience to every ordinance of man, for God's sake ; and we will be peaceable and obedient subjects to the powers that are ordained of God, in all civil cases : But as subjects of that King, whose kingdom is not of this world—we cannot acknowledge the right of any human authority to make laws for the regulating of our conscience in any spiritual matters.

Thus, as a true independent church of Christ, looking unto Jesus the author and finisher of our faith, we mutually agree to walk together in christian fellowship, building up each other in our most holy faith, rejoicing in the liberty wherewith Christ hath made us free, and determining by his grace, no more to be entangled by any yoke of bondage.

As disciples of the meek and lowly Jesus, we resolve as far as in us lieth, to live peaceably with all men ; yet as believers living godly in Christ Jesus, we expect to suffer as much persecution as the laws of the country we live in, will admit of : But we resolve by the grace of God, none of these things shall move us to act inconsistent with our character as christians. We will as much as possible avoid vain jangling, and unnecessary disputation ; and should we be reviled, endeavour in patience to possess our souls.

As

As an independent church of Christ thus bound together by the cords of his love, and meeting together in his name ; we mutually agree to receive as our Minister, that is our Servant, sent to labour among us in the work of the gospel by the great Lord of the vineyard, our friend and christian brother JOHN MURRAY : This we do from a full conviction that the same God that sent the first preachers of Jesus Christ, sent him ; and that the same gospel they preached, we have from time to time received from him : Thus, believing him a minister of the New Testament, constantly declaring the whole counsel of God ; proclaiming the same divine truth that all God's holy Prophets from the beginning of the world hath declared : WE cordially receive him as a Messenger from God.—And as it hath pleased God to open a great and an effectual door for the preaching of his gospel by this his servant in sundry parts of this great continent, whenever it shall please his and our divine master to call him to preach the everlasting gospel elsewhere, we wish him God-speed ; and pray that the good-will of him that dwelt in the bush may accompany him, and make his way clear before him : But should he at any time preach any other gospel, than that we have received, we *will not* wish him God-speed, but consider him as a stranger.—And as the great Lord of the harvest has taught us to pray that he would send labourers into his harvest ; and as he never taught us to pray in vain, but has assured us, every one that asketh receiveth, though he has not told us when, whenever he shall see fit to send us a messenger

sender of glad tidings, a publisher of peace, we will with grateful hearts receive him.—And as the promise of the divine presence is to any two or three that meet together in the Saviour's name ; we are resolved by God's grace, whether we are blessed with the publick preaching of the word or not, as often as we find convenient, to meet together, to supplicate the divine favour, to praise our redeeming God, to hear his most holy word, and freely to communicate whatever God shall please to manifest to us for our mutual edification.

AND that we may the more effectually shew forth his praise, who hath called us out of darkness into his marvellous light ; we resolve to pay a serious regard to the exhortations, admonitions and instructions given to us by the spirit of God, in the epistles dictated to our holy apostles. We will, as far as in us lieth, do good unto all men ; but especially unto them who are of the household of faith.

WE will, by the grace of God, in word and in deed, endeavour to adorn the doctrine of God our Saviour. And as children of one father, as members of one head, who are united together in christian-fellowship, will, once every month meet together, to hold conference, and to deliberate on whatever may tend to our mutual profit.

Signed by all the Society.



